

## Appendix D

# Zoning District Conversion Matrix

### 35-D101 General

#### (a) "1965 Zoning Districts"

The zoning classifications established by the City subsequent to June 28, 1965 and prior February 4, 2002 to the adoption of this Chapter are referred to herein as "1965 Zoning Districts." Application of the Zoning District Conversion Matrix shall be as follows:

(1) **Properties that are registered.** Any property that is registered shall be subject to the following provisions:

- A. Registered Uses Recognized.** The implementation of the Zoning District Conversion Matrix notwithstanding, the reservation and preservation of the right to continue to use, or establish a single future use of property as was authorized by the zoning regulations in effect prior to the adoption of this Zoning District Conversion Matrix is hereby recognized provided that such property is registered with the City of San Antonio's Department of Development Services.
- B. Registration Process.** Registration shall be accomplished by sending notice of the legal description of the property, a description of the particular use right (such as retail sales, multifamily housing, or manufacturing) to be reserved, and the property's 1965 zoning designation to the Director of Development Services by certified mail with payment of the \$50.00 registration fee. A blanket registration of all or several prior use rights shall not be accepted by the Director.
- C. Reserved Use.** A use registered in the manner prescribed immediately above shall be referred to as a "reserved Use". The registration of a reserve use shall have the effect of preserving the subject property's 1965 zoning designation to the extent necessary in order to recognize the property owner's right to continue or establish the reserved use. As is the predominate rule of zoning such rights run with the land.
- D. Rezoning.** The registration of a reserve use shall in no way preclude the initiation of a zoning case. Should a zoning case be initiated on a registered property, which is ultimately approved by the City Council, then in that case any rights derived pursuant to the registration procedures of this section shall expire and be a nullity, and the new regulations, including those relating to non-conforming rights, applicable to the new zoning shall apply.

(2) **Properties that are not registered.** Any Property that is not registered shall be subject to the following provision:

Property designated as located within a "1965 Zoning District", as set forth in Column (A) of Table D 102-1, shall be deemed to be located in the zoning classification shown in Column (C) of Table D 102-1 unless otherwise noted.

(3) **Registration Period.**

- A. Upon the third anniversary of the effective date of the Zoning District Conversion Matrix the right of an owner of registered property to establish a future use shall expire and be a nullity.
- B. Any property to which this Appendix D subsection (a) applies that is not registered on or before the expiration date described immediately above shall be subject to the provisions of this Appendix D subsection (a) 2.
- C. Any property to which this Appendix D subsection (a) applies that is not registered on or before the expiration date described immediately above shall be subject to the provisions of this Appendix D subsection (a) 1.

(Ord. No. 96272 § 2; Ord. No. 97568 § 2)

**(b) “1938 Zoning Districts”**

The zoning classifications established by the City prior to June 28, 1965 are referred to herein as “1938 Zoning Districts.” Application of the Zoning District Conversion Matrix shall be as follows:

(1) **Properties that are registered.** Any property that is registered shall be subject to the following provisions:

- A. **Registered Uses Recognized.** The implementation of the Zoning District Conversion Matrix notwithstanding, the reservation and preservation of the right to continue to use, or establish a (96272) “single” future use of property as was authorized by the zoning regulations in effect prior to the adoption of this Zoning District Conversion Matrix is hereby recognized provided that such property is registered with the City of San Antonio’s Department of Development Services.
- B. **Registration Process.** Registration shall be accomplished by sending notice of the legal description of the property, a description of the particular use right (such as retail sales, multifamily housing, or manufacturing) to be reserved, and the property’s 1938 zoning designation to the Director of Development Services by certified mail with payment of the \$50.00 registration fee. A blanket registration of all or several prior use rights shall not be accepted by the Director.
- C. **Reserved Use.** A use registered in the manner prescribed immediately above shall be referred to as a “reserved Use”. The registration of a reserve use shall have the effect of preserving the subject property’s 1938 zoning designation to the extent necessary in order to recognize the property owner’s right to continue or establish the reserved use. As is the predominate rule of zoning such rights run with the land.
- D. **Rezoning.** The registration of a reserve use shall in no way preclude the initiation of a zoning case. Should a zoning case be initiated on a registered property, which is ultimately approved by the City Council, then in that case any rights derived pursuant to the registration procedures of this section shall expire and be a nullity, and the new regulations, including those relating to non-conforming rights, applicable to the new zoning shall apply.

(2) **Properties that are not registered.** Any Property that is not registered shall be subject to the following provision:

Property designated as located within a "1938 Zoning District", as set forth in Column (B) of Table D 102-1, shall be deemed to be located in the zoning classification shown in Column (C) of Table D 102-1, unless otherwise noted.

**(3) Registration Period.**

- E. Upon the third anniversary of the effective date of the Zoning District Conversion Matrix the right of an owner of registered property to establish a future use shall expire and be a nullity.
- F. Any property to which this Appendix D subsection (b) applies that is not registered on or before the expiration date described immediately above shall be subject to the provisions of this Appendix D subsection (b) 2.
- G. Any property to which this Appendix D subsection (b) applies that is not registered on or before the expiration date described immediately above shall be subject to the provisions of this Appendix D subsection (b) 1.

(Ors. No. 95191 § 1; Ord. NO. 96272 § 1; (Ord. No. 97568 § 2)

**(c) Development Preservation Rights (DPR)**

Land uses legally existing as of the effective date of this Chapter which do not conform with the uses permitted in the new district to which they have been placed shall have development preservation rights (DPR) pursuant to Article VII, Division 1 of this Chapter. Existing uses meeting this criterion shall be eligible to obtain building permits for rebuilding and expansion if said use was legally operating within the past twelve months at the time of application for said permit. If the use has been discontinued for twelve consecutive months following the adoption of this chapter the owner of said property may:

- (1) Apply for a certificate of occupancy and/or building permit as required by this chapter for one of the permitted uses granted by the zoning districts established by this Chapter (see Article 3, § 35-311), or
- (2) Submit a request for reinstatement of development preservation rights where the enforcement of this Chapter would result in unnecessary hardship, and where the spirit of this Chapter is observed and substantial justice is done; or
- (3) Submit an application for rezoning to another zoning district.

Development preservation rights exist in addition to non-conforming rights and no provision of this section shall be considered to remove any non-conforming rights granted to a property pursuant to Article VII of this Code.

(Ord. No. 97568 § 2)

**(d) Apartments in former B-1 and B-2 zoning districts**

Notwithstanding any provision of this Chapter to the contrary, Multifamily Dwellings are a permitted use for any tract or parcel zoned "B-1," "B-2," or "B-2NA" prior to the adoption date of this Chapter so long as such tract is not the subject of rezoning in accordance with the provisions of this Chapter and remain within the "C-1," "C-2" or "C-2NA" zoning districts.

**(e) Height limitations in former O-1 districts**

Notwithstanding any provision of this Chapter to the contrary, the height limitation on any tract or parcel zoned "O-1" prior to the adoption date of Chapter shall be subject to a thirty-five (35) foot height limitation until such tract is rezoned through a public hearing.

**(f) Reserved Uses Subject to Overlay Zones Restrictions**

An owner of a property may not reserve a use from their 1965 Zoning designation if such use is prohibited by any existing overlay zone on that property.

(Ord. No. 96272 § 3)

## **35-D 102 Zoning District Conversion Matrix**

The following table converts the zoning classification of land that is in one of the following zoning classifications to the zoning classifications established by this Chapter. Column (C) of Table D 102-1 designates the zoning classifications established by Article 3 of this Chapter.

Table D102-1  
Zoning District Conversion Matrix

(A) 1965 Zoning District	(B) 1938 Zoning District	(C) New Classification
--	--	CS, RM-4, RM-6, MF-25, MF-40, MF-50, NC, O-1, L
R-8A	--	RE
R-8	--	R-20
R-1C	--	NP-15
R-A	--	NP-10
R-1B	--	NP-10
R-1A	--	NP-8
R-7	B	R-4
R-3	C, D Apartment	MF-33
R-1	--	R-6
R-5	A	R-5
R-2, R-2A, R-6	--	RM-4
R-4	--	Manufactured Home "MH"
O-1	E	O-2
B-1	--	C-1 (subject to subsection (d), above)
B-2	F, G, GG	C-2 (subject to subsection (d), above)
B-2NA	--	C-2NA (subject to subsection (d), above)
B-3	H, HH	C-3
B-3NA	--	C-3NA
B-3R	--	C-3R
B-4	--	D
BP	--	BP
I-1	I, II, J, JJ, K, KK	I-1
I-2	L, LL, M, MM	I-2
Sand & Gravel "SG"	--	Sand & Gravel District "SG"
Quarry "QD"	--	Quarry District "QD"
Entertainment "ED"	--	Entertainment District "ED"
ERZD	--	ERZD
Historic District "H"	--	Historic District "H"
Military Airport Overlay 1 "MAO-1"	--	Military Airport Overlay 1 "MAO-1"
Military Airport Overlay 2 "MAO-2"	--	Military Airport Overlay 2 "MAO-2"
Military Reservation "MR"	--	Military Reservation "MR"
Planned Unit Development "PUD"*1	--	Planned Unit Development "PUD"*1
River Walk Overlay District "RWOD"	--	River Walk Overlay-3 "RW-3"
Temporary R-1 (see Ord. No. 65513, '§ 2(f) [8-13-87]; and Ord. No. 74489, § 1(Att. I) [10-3- 91]), § 35-3011 of former UDC	Temporary A	R-6

\*1 Existing PUDs under the 1965 zoning ordinance will be converted to a designation that shall include a prefix designation (such as P"R6") that most closely represents the prefix applied prior to the effective date of this ordinance in accordance with the foregoing conversion table.

(95326 § 8; Ord. No. 97568 § 2)